

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
ABERDEEN DIVISION**

**NORTH MISSISSIPPI MEDICAL
CENTER, INC.**

PLAINTIFF

V.

CIVIL ACTION NO.: 1:23-cv-00003-SA-DAS

**QUARTIZ TECHNOLOGIES
a d/b/a of VALUE ASCENT INC.**

DEFENDANT

URGENT AND NECESSITOUS MOTION TO DISMISS

Defendant, Quartiz Technologies, a d/b/a of Value Ascent, Inc. (Quartiz), files this Motion to Dismiss and in support shows as follows:

1. On January 4, 2023, North Mississippi Medical Center, Inc. (NMMC) filed its Motion for Preliminary Injunction and Expedited Hearing requesting that this Court enter a mandatory injunction compelling Quartiz to turn over to it files contain certain intellectual property that NMMC has no right to and would allow it to utilize a database backup already in NMMC's possession to deploy those assets, effectively converting property belonging to Quartiz and others. [Doc. 8]. Further, NMMC has not effectuated service of process on Quartiz.

2. Quartiz now moves the Court to dismiss this matter pursuant to Fed. R. Civ. P. 12(b)(2), 12(b)(5), and 12(b)(7).

3. Due to the urgent nature of this request, Quartiz requests the Court schedule this matter for telephonic hearing as soon as is practicable.

4. In support of this Response, Quartiz relies on its memorandum brief filed contemporaneously herewith along with the following documents:

Exhibit 1 August 22, 2018, Agreement and Amendments

Exhibit 2 Third Affidavit of Eldo Mathew

WHEREFORE PREMISES CONSIDERED, Quartiz respectfully requests that the Court set this matter for telephonic hearing as soon as practicable and, following that hearing, enter an Order dismissing this matter without prejudice based on NMMC's failure to join necessary parties or effectuate service as to Quartiz.

Respectfully submitted, this the 18th day of January 2023.

**QUARTIZ TECHNOLOGIES,
a d/b/a of VALUE ASCENT INC.**

By: /s/ TAYLOR H. WEBB
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CERTIFICATE OF SERVICE

I, Taylor H. Webb, of the Tollison & Webb P.A., hereby certify that I have, on this day, electronically filed a true and correct copy of the above and foregoing document which notifies all counsel of record in this matter.

This the 18th day of January, 2023.

/s/ TAYLOR H. WEBB

TAYLOR H. WEBB, MSB# 104180